

REMARKS

This is in response to the Official Action currently outstanding in the above identified application, which Official Action the Examiner has designated as being FINAL.

Claims 58-62 were pending in the above-identified application at the time of the issuance of the currently outstanding Official Action. Claims 1-57 were canceled, without prejudice, previously during this prosecution. By the foregoing Amendment, Applicants have amended Claims 60 - 62. No Claims have been canceled, added or withdrawn. Further, no change in the inventorship of this application arises by virtue of the foregoing Amendment. Accordingly, in the event that the Examiner grants the entry of the foregoing Amendment, Claims 58-62 as hereinabove amended will constitute the claims under active prosecution in the above-identified application.

The claims of this application as they will stand in the event that the Examiner grants the entry of the foregoing Amendment are reproduced above including appropriate status identifiers and indications of the changes being made as required by the Rules.

More specifically, in the currently outstanding non-final Official Action, the Examiner has:

1. Not re-acknowledged Applicants' claim for foreign priority under 35 USC §119 (a)-(d) or (f), and reconfirmed the receipt by the United States Patent and Trademark Office of the required copies of the priority documents. -- **These matters were satisfactorily handled by the Examiner previously during this prosecution.**
2. Not re-acknowledged and/or reconfirmed his acceptance of the formal drawings filed with this application on 10 April 2006. -- **This matter was satisfactorily handled by the Examiner previously during this prosecution.**

3. Provided Applicants with a Notice of References Cited (Form PTO-892) and a copy of the non-patent literature relied upon.
4. Electronically acknowledged Applicants' Information Disclosure Statement of 21 September 2010 by providing Applicants with an appropriately marked copy of the Form PTO/SB/08 that accompanied that Statement.
5. Rejected Claim 61 under 35 USC 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter that Applicant regards as the invention. **By the foregoing Amendment, Claim 61 has been amended so as to specify how the data recorded in the recording medium is used in the content reproducing apparatus. Applicants respectfully submit that these amendments overcome the outstanding rejections under 35 USC 112.**
6. Rejected Claim 61 under 35 USC 102(b) as being anticipated by the "notoriously well-known non-transitory content recording medium" in that the non-transitory content recording medium" is well known, and *the remainder of the claim is simply a recitation of intended use that is entitled to no patentable weight.* **Applicants respectfully submit that the foregoing proposed amendment of Claim 61 overcomes this ground for rejection because the claim as amended specifies how the data stored in the recording medium is used in the content reproducing apparatus.**
7. Rejected Claims 58, 59 and 62 under 35 USC 103(a) as being unpatentable over Chung et al (US Published Patent Application No. 2003/0095794) in view of Yoon et al (US Published Patent Application No. 2004/0175154).
8. Rejected Claims 60 and 61 under 35 USC 103(a) as being unpatentable over the Chung and Yoon references further in view of the Tanenbaum publication "Structured Computer Organization".

Further comment regarding items 1 – 4 above is not deemed to be required in these Remarks.

As to items 5 - 6, Applicants respectfully submit that Claim 61 as hereinabove amended now specifies how the data recorded in the recording medium is used in the content reproducing apparatus. Hence, Claim 61 as hereinabove amended is believed to be clear and definite thereby overcoming the Examiner's rejection of the same under 35 USC 112, second paragraph. A decision so holding in response to this submission is respectfully requested.

Also, in response to the Examiner's inquiry, Applicants respectfully note for the record that the inventions of all of the claims of this application were commonly owned at the time that the present invention(s) was made.

As to items 7 and 8 above, Applicants respectfully submit that the Yoon (US Patent Application Publication No. 2004/0175154) is clearly and definitely distinct from the present invention.

In the currently outstanding Final Official Action, regarding a configuration of "acquiring the synchronization timing information and the program as separate files" as recited in Claim 58 of the subject application, the Examiner points out that associating interactive content with AV media by the use of separate "sync" files is a publicly known technique as described by the cited Yoon reference.

It is Applicants' position, however, that the Yoon reference describes that "a synchronization file is a file that is separate from ENAV data to be synchronized and links a file name and time; instead of a synchronization file recorded on a DVD in advance, a synchronization file obtained from a server is used" (See paragraphs [0037] and [0060], Fig. 2, etc). In other words, Applicants respectfully submit that the Yoon reference describes a configuration in which "data to be synchronized and a synchronization file are managed as separate files".

On the other hand, unlike the “synchronization file” of the Yoon reference relied upon by the Examiner, the “synchronization timing information” recited in pending Claim 58 of the above-identified application does not link a file name and time, but rather “indicates a correspondence of a time point and an ID”. Moreover, the “program” of pending Claim 58 of the above-identified application is not content like the “ENAV data” of the Yoon reference, but rather “registers a process in association with the ID”.

In this way, the “synchronization timing information” and the “program” obtained as separate files as recited in pending Claim 58 of the above-identified application are different and distinct from the “synchronization file” and the “ENAV data” managed as different files in the Yoon reference relied upon by the Examiner.

Further, Applicants respectfully submit that the invention of pending Claim 58 of the above-identified application provides an advantageous effect such that “the program does not need to be rewritten even in cases where the video data is edited after the creation of the program”. Accordingly, it will be readily apparent that the differences between the cited Yoon reference and the present application are not disclosed, taught or suggested to one of ordinary skill in the art at the time that the present invention was made by the Yoon reference wherein the foregoing advantageous effect is not available.

Consequently, Applicants respectfully further submit that the configuration of “acquiring, as separate files, (i) the synchronization timing information indicating a correspondence of a time point and ID and (ii) the program registering a process in association with the ID” as recited in pending Claim 58 of the above-identified application cannot be arrived at from the Yoon reference. Moreover, it is Applicants belief that such a configuration has not been publicly known from the Yoon disclosure as suggested by the Examiner. Still further, it is also Applicants’ position that the configuration of pending Claim 58 of the above-identified application is not described in the Tanenbaum reference either.

In addition, Applicants respectfully submit that the combination of references relied upon by the Examiner does not make up for the deficiencies of the cited references taken alone. Thus, it will be seen that the Yoon reference describes a configuration of “managing video data, data to be synchronized, and a synchronization file as separate files”. Meanwhile, according to the descriptions of paragraph [0034] etc of the Chuung reference (US Published Patent Application No. 2003/0095794), both data to be synchronized and data corresponding to the synchronization file are contained in a so-called “mark-up document”. Accordingly, Applicants respectfully submit that combining the invention of the Chung reference with the invention of the Yoon reference would only provide a configuration in which a synchronization file and data to be synchronized are obtained from the “mark-up document” of the Chung reference.

It is Applicants’ position that such a configuration is completely distinct and different from the configuration of “acquiring, as separate files, (i) the synchronization timing information indicating a correspondence of a time point and an ID and (ii) the program registering a process in association with the ID” as is recited in pending Claim 58 of the above-identified application.

Further, according to the configuration obtained by combining the inventions of Chung and Yoon, when data to be synchronized is rewritten, the synchronization file for making a reference to the data needs to be also rewritten for changing a process to be carried out. On the other hand, however, the invention of pending Claim 58 of the above-identified application has the configuration of “acquiring, as separate files, (i) the synchronization timing information indicating a correspondence of a time point and an ID and (ii) the program registering a process in association with the ID”. Therefore, in a case where it is desired to change a process to be carried out, only a program to be executed needs to be changed in the context of the present invention. The synchronization timing information does not need to be rewritten.

In summary, therefore, as discussed above, none of the cited references teaches, discloses or suggests a configuration of "acquiring, as separate files, (i) the synchronization timing information indicating a correspondence of a time point and an ID, and (ii) the program registering a process in association with the ID" as recited in pending Claim 58 of the subject application. In addition, with the configuration of the present invention as now herein claimed the subject application provides advantageous effects that none of the cited art is capable of providing.

Accordingly, in view of the foregoing Amendments and Remarks, Applicants respectfully submit that all of the Examiner's currently outstanding objections and rejections now have been overcome. Hence, entry of the foregoing Amendments, reconsideration, and allowance of the above-presented claims in response to this submission are respectfully requested.

Finally, Applicants believe that additional fees beyond those submitted herewith are not required in connection with the consideration of this response to the currently outstanding Official Action. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

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SIGNATURE OF PRACTITIONER

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